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**SHER GARNER CAHILL RICHTER
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January 27, 2012

(Via Email)
Ms Yolanda Rodriguez
Executive Director
City Planning Commission
City of New Orleans
1340 Poydras St., Suite 900
New Orleans, LA 70112

**Re: 2011 Master Plan Proposed Amendments
State/Tchoupitoulas, LLC
Request Number: PD 3 - 4.R, Applicant Ben S. Gravolet
Our Ref: 20146.7**

Dear Yolanda:

This is written to you on behalf of State/Tchoupitoulas, LLC ("Company") in connection with the above referenced matter. The Company is owned by our client, Ben S. Gravolet, the Applicant under the Request.

Our Company is the owner of 10 separate lots more fully described in the above Request. Those lots are improved with 13 buildings containing a total of 68 multi-family units, all of which consist of low-income subsidized residential units. The improvements are approximately 55 years old and are not architecturally significant nor is the subject property located within any of the historic districts of the City. The property is currently zoned MS Medical Services District, and fronts on Tchoupitoulas Street. The MS district allows a myriad of commercial and mixed uses, including uses allowed in the RM-2 Multi-Family Residential District. Under the current Master Plan Future Land Use Map (FLUM) the site is designated Pre-War Residential Low Density, and without an amendment of that FLUM classification, all of the existing improvements will become non-conforming uses under all of the zoning districts described in the

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Consistency Tables for the Residential Low-Density Pre-War category in the new Comprehensive Zoning Ordinance draft.

Our client's Request for Amendment of the FLUM, proposed a change from Pre-War Residential Low Density to Mixed-Use Medium Density. The requested designation would support not only the existing multi-family residential but would be compatible with future redevelopment of the site for mixed-uses, including commercial, retail, and office services. Our client made that request in an effort to preserve a broader range of uses that were consistent with the existing MS zoning classification and the character of the area in which the property is located. That change would also support an opportunity for a future redevelopment of the site to more appropriate uses, inasmuch as the proposed amended FLUM designation would do nothing more than preserve the existing improvements and chill any financial incentives or practical opportunities for the economic redevelopment of the property and surrounding properties with more appropriate uses. We understand that several residents on the northern side of Tchoupitoulas Street have expressed opposition to any amendments to the FLUM, but the amendments proposed are intended to preserve the potential uses under the existing zoning that has been in place for many years. The requested amendment does not enhance the development opportunities that now exist.

In its review of our client's Application, the Planning Staff recognized the site's historical and current use as multi-family residential, and agreed that the site was not suitable for the adopted Pre-War Residential Low Density designation under the FLUM. The Staff reported its belief that the request for Mixed-Use Medium Density designation would not be in keeping with the primarily residential development pattern fronting Tchoupitoulas St. from Arabella St. to Audubon Park excluding the LSU Health Services Center, Uptown Campus and Children's Hospital sites, and that the existing multi-family development would be best captured under the range of uses within the Pre-War Residential Medium Density designation. The staff noted, however, that a Pre-War Residential Medium Density designation was necessary for the current use of the site as primarily supporting multi-family residential dwellings, in order to prevent the existing multi-family dwellings from becoming non-conforming uses under the Pre-War Residential Low Density designation. The Staff thus recommended a modified amendment of the FLUM to change the designation from Pre-War Residential Low Density to Pre-War Residential Medium Density designation.

We disagree with the Staff recommendation for several reasons. Over the last several years, the character of Tchoupitoulas Street (primarily the river side of the street) has changed from a predominately industrial corridor to a corridor of mixed uses, including industrial, neighborhood and general commercial, and medical and institutional uses, and the only properties along that entire stretch along the river side of Tchoupitoulas Street that are

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inconsistent with industrial, commercial and mixed uses identified on the FLUM include the subject property and a few adjacent properties State Street to Arabella Street. That side of Tchoupitoulas Street is very different than the northern side of the street where the residential properties are not surrounded by industrial and commercial properties. Tchoupitoulas Street makes a significant line of demarcation in connection with the character of those neighborhoods.

An amendment of the FLUM, as requested, will not have adverse impacts upon neighboring properties. In fact, the existing use of the property as low-income multi-family residential units, likely adversely affects the current character and values of nearby residential properties on the northern side of Tchoupitoulas Street. The character of the river side of Tchoupitoulas Street from downtown to Audubon Park is a blend of industrial, neighborhood commercial, general commercial and institutional uses. Like the subject property, the properties bounded by Tchoupitoulas Street, State Street, Arabella Street and the river, are for the most part a mixture of two-family, multi-family residential, industrial and institutional uses. An amendment of the FLUM to change the Residential Low Density Pre-War category to Mixed-Use Medium Density (MUM), as proposed, will be compatible with the existing uses those properties and all other properties on the river side of that street.

The Owner is of the opinion that a redevelopment of the property for mixed-uses comprising neighborhood business, office and residential uses would be appropriate for the location of the property and provide proximate and valuable commercial, retail and office services to residents living within a walking distance of the property. Such uses would also be consistent with the character of the surrounding neighborhoods and be particularly well adapted to the nearby medical related facilities associated with Children's Hospital and LSU Health Services Center, Uptown Campus.

The proposed amendment to the FLUM would provide valuable business, office and residential services to adjoining neighborhoods, all within walking distances. All of those uses provide valuable services to the residential neighborhoods situated to the north of Tchoupitoulas Street. At present, persons in the immediate vicinity of the property do not have a broad range of conveniently located commercial and office related services. The commercial district most proximate to the neighborhoods bounded by Audubon Park, Magazine Street and Joseph Street are located in or near the Riverside Marketplace development at the intersection of Jefferson Avenue and Tchoupitoulas Street and along Magazine Street. An amendment of the FLUM as proposed by the Owner, would make neighborhood office and commercial services, such as restaurants, banks, retail goods establishments and similar such uses available to a multitude of residential properties in the immediate vicinity.

For all of the foregoing reasons, and on behalf of Mr. Gravolet, we respectfully request

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for your office to reconsider its previous recommendation and our request for approval of the previously requested amendment of the FLUM to an MUM designation. We sincerely appreciate your cooperation and courtesies in that regard.

With kindest regards, I am

Yours Truly,

A handwritten signature in black ink, appearing to read "Rich Richter", written over the typed name.

Richard P. Richter

Cc Ben Gravolet (via email)

Karen Duncan
Upper Hurstville Resident's Association
c/o 909 Eleonore St.
New Orleans, La. 70115

December 8, 2011

City Planning Commission
1340 Perdido #900
New Orleans, LA 70112
ywrodriguez@nola.gov
via email

RE: Children's Hospital Calhoun Campus (Formerly De Paul Hospital)

Dear Ms. Rodriguez,

I am writing on behalf of the Upper Hurstville Resident's Association. Our boundaries are Magazine Street to Prytania, and Nashville Ave to Exposition Blvd. The Children's Hospital (De Paul) Calhoun campus occupies six squares in on both sides of the 900,1000,and 1100 blocks of Calhoun Street entirely within our neighborhood's boundaries. This correspondence is a result of Ms. Guidry's recommendation that we write a letter to you. We wish to request changes in the Master Plan designation and the proposed zoning of the property.

The property's Master Plan designation, as well as the proposed zoning as a Medical Campus, would increase the potential density of this property and permit undesirable commercial uses.

We have meet with your staff and voiced our concerns to a Children's Hospital's representative, Brian Landry. We requested a meeting, but Children's Hospital does not want to meet until after 2011 Master Plan Amendments and Proposed Zoning have been established by the city.

These are our requests for the Calhoun Campus:

1. RECLASSIFICATION AS INSTITUTIONAL IS INCONSISTANT WITH THE GOALS OF THE MASTER PLAN

Master Plan: Given the Master Plan's goal to *preserve and support the character of successful residential neighborhoods*, reclassifying the site from low density residential to high density institutional is not consistent with the Master Plan's stated goals. The Master Plan should instead designate the Children's Calhoun / De Paul site as an *historic nonconforming* use.

The current low density / low use site is very compatible with the neighborhood. We ask that the Commission work with us and Children's Hospital to identify zoning objectives that support the continued existence of the current use and density, with options for redevelopment and some expansion.

However, the combination of the large amount of open space with unknown future needs of Children's Hospital demands careful planning and zoning. We must be assured that the Commission will preserve and support the character of our neighborhood by protecting it from the gargantuan density and use combinations of a traditional medical campus.

In summary, we ask that the site's current Institutional designation revert back to residential, as it has been for over forty years.

2. A MORE CUSTOMIZED ZONING CLASSIFICATION WITH LIMITATIONS ON DENSITY AND USES WILL BETTER PROTECT THE NEIGHBORHOOD

Proposed Zoning: Although the campus plan review is good, we note that there are few objective limits on density, use, and the potential building envelope. The site could contain a potential building area of over 2.4 million square feet based on the proposed zoning of Medical Campus. While we would not expect a building that large to be approved, our concern is the site's use over the long term. In fifty years, with multiple revised campus plans, as proposed, could easily yield density and use creep that could overtake our residential neighborhood. The proposed zoning, at a minimum, should include the language of the current non-conforming use of CZO chapter 13.10.3 until a more customized zoning classification with objective limitations could be written.

Community involvement to develop specific zoning is essential, given the complexity of harmoniously increasing the scale and density of the large open site within our residential neighborhood. We want to work with City Planning staff and with Children's Hospital to develop a new, mutually acceptable zoning designation that preserves our neighborhood's character while still promoting Children's Hospitals future development.

In summary, we request a voice in developing a customized zoning designation to control the future use of the site.

We must emphasize that we are not opposed to re-development of this site or continuing low density development. Objective limits on density through required open space and maximum floor area ratios, a campus plan review, and limits on commercial uses are needed to maintain the site's current low density characteristics, however. Looking forward, we need these objective limits to

ensure that any future higher density development will be mitigated by sufficient offsets of premium campus design qualities, city infrastructure improvements, and neighborhood amenities. These limits will maintain the low density qualities of the campus and congruency with the neighborhood's character.

Please maintain the existing non conforming use zoning of CZO 13.10.3 and allow us to work with the Commission staff and Children's Hospital to develop mutually acceptable planning and zoning. We intend to work toward goals that both allow limited growth in the uses and building area of the campus while also protecting our neighborhood from a high density use that has previously never existed on this site.

Cordially,

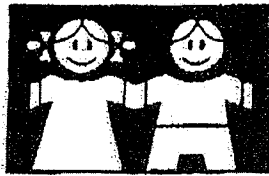
A handwritten signature in black ink, appearing to be 'KD' with a large loop and a trailing flourish.

Karen Duncan /President

For the Upper Hurstville Resident's Association

CC:

Council Person Susan Guidry
Council Person Jacquelyn Brechtel Clarkson
Council Person Eric Granderson
Council Person Stacy Head
Council Person Kristin Giles Palmer
Council Person Cynthia Hedge-Morrell
Council Person Jon D. Johnson
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RICARDO M. GUEVARA

Attorney at Law
Vice President, Legal Affairs
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Telecopier: 504/896-9290

September 20, 2006

VIA FAX: 504/658-7210

EXHIBIT 1

Mr. Edward Horan
Zoning Administrator
Department of Safety and Permits
1300 Perdido Street, Suite 7E01
New Orleans, LA 70112

Re: DePaul Hospital Property
Squares 35, 36, 37, 38, 43 and 44, Sixth District

Dear Mr. Horan:

I am following up on our meeting of September 19, 2005, regarding the Comprehensive Zoning Ordinance provisions applicable to the above described property. As I mentioned, the DePaul Hospital property, consisting of approximately 12.5 acres, is located in an area zoned as RD-Two, Two Family Residential District. CZO Article 4, Section 4.5.5 sets forth the conditional uses which may be authorized in such district and includes hospital and sanitariums.

According to the CZO, no building permit shall be issued for any use designated as a conditional use until a conditional use permit is issued following approval of such by the City Planning Commission and the City Council (CZO Article 16, Section 16.6).

The CZO also contains Article 13 *Nonconforming Uses* Section 13.10.3 of which is entitled *Existing Hospital in RS Single-Family or RD Two-Family Residential Districts*. Section 13.10.3 provides that existing hospitals located in RS Single-Family or RD Two Family Residential District, such as DePaul Hospital, whose principal activity is the therapeutic treatment of patients who are physically or mentally ill, may be structurally maintained, altered or extended in existing or newly constructed buildings subject to 9 enumerated standards and conditions.

We are requesting your opinion as to:

- 1) whether the current or future owners of the DePaul Hospital Property must obtain a conditional use permit in order to extend or alter existing buildings or to construct new buildings on the

The Regional Medical Center for Children

property to provide uses or services if such construction or renovation is in compliance with the 9 enumerated standards and conditions set forth in Article 13, Section 13.10.3; and

- 2) if your answer to question 1) above is in the negative, would such current or future owners of the DePaul Hospital Property be entitled to a building permit of right and without further formality if such proposed extension or alteration of existing buildings or construction of new buildings is in compliance with the 9 enumerated standards and conditions set forth in Article 13, Section 13.10.3.

As I stated in our meeting, Children's Hospital is very interested in purchasing the DePaul Hospital Property. I know with all the Katrina recovery activity you must be extremely busy; nevertheless, your prompt response to this opinion request would be most appreciated as time is of the essence.

Sincerely,



Ricardo M. Guetara
Vice President, Legal Affairs

/jrw

**Comments to Amendment PD3-6R by Council Member
Guidry requesting further review of the "Institutional"
land use designation for the Children's Hospital Calhoun
Campus consisting of Squares 35, 36, 37, 38, 43 and 44
located in Planning District 3 of the City of New Orleans.**

On March 1, 2007, Children's Hospital purchased Squares 35, 36, 37, 38, 43 and 44 formerly known as DePaul Hospital from the Daughters of Charity of St. Vincent DePaul. The Daughters of Charity of St. Vincent DePaul began operating DePaul Hospital in 1861. In 1876 Sister Mary Jane Stokes acquired the above referenced property and moved DePaul Hospital to this location. According to information provided by the Sisters of Charity of St. Vincent DePaul, this part of New Orleans was so undeveloped and swampy that Sister Mary Jane Stokes had to travel by row boat to inspect the property. From 1876 to the present the property has been used as a hospital.

Children's Hospital purchased the property, which it refers to as its Calhoun Campus in order to ensure for years to come Children's Hospital's ability to expand and provide needed medical services to the children of Greater New Orleans and the State of Louisiana. Children's Hospital's main campus, which it refers to as its Henry Clay Avenue Campus is located approximately 8 tenths of a mile from its Calhoun Campus.

The Henry Clay Avenue Campus consists of approximately 10 acres and has little open land upon which future expansion could be constructed. Future expansion on the Henry Clay Campus will necessitate constructing additional inpatient and ambulatory care towers of approximately six stories each. The Henry Clay Campus currently has about 550,000 square feet of floor space. Additional construction on the site, while feasible, will increase the density of the

land use. The Calhoun Campus is very well suited for future expansion by Children's Hospital. It consists of approximately 12.6 acres surrounded on three sides by a 9 foot brick fence and on the fourth side by Audubon Park and has lots of open ground space for future construction.

After Hurricane Katrina, the City of New Orleans desperately needed health care services. Children's Hospital responded to these needs in three ways. First, it swiftly reopened its Henry Clay Campus on October 10, 2005 providing the full array of inpatient and outpatient pediatric services. Children's Hospital was the first fully operational hospital in Orleans Parish.

Secondly, shortly after acquiring the Calhoun Campus, Children's repaired the Seton Building and leased it to the LSU Health Sciences Center (LSUHSC) for the operation of an adult psychiatric hospital housing approximately 38 adult patients. This was done in an effort to restore desperately needed inpatient psychiatric services in New Orleans. LSUHSC continues to operate this adult psychiatric facility.

Thirdly, Children's Hospital established a new adolescent behavioral health unit in the renovated Lancaster Building on the Calhoun Campus and recently added a child behavioral health unit. The Lancaster Building currently operates at a capacity of 29 patients and Children's will increase its capacity to 33 patients by year's end. The closure of the New Orleans Adolescent Hospital (NOAH) has increased the demand for child and adolescent behavioral beds in Orleans Parish.

The Future Land Use Map currently designates the Calhoun Campus as "Institutional Land Use" with a proposed Comprehensive Zoning Ordinance categorization as "Medical Campus".

Children's Hospital believes Institutional Land Use is the most appropriate land use designation for the Calhoun Campus. This property has been institutionally owned and operated

as a hospital for over 135 years. It has not been used for residential purposes during the past 135 years and Children's has no intent to use it for residential purposes in the future. Furthermore, an "Institutional Land Use" designation for this property meets the goals for health and human services as set forth in Volume, 2, Chapter 8 of the Plan For the 21st Century: New Orleans 2030, adopted August 2010 (The Master Plan). The Third goal of Volume 2, Chapter 8 of the Master Plan is "a robust continuum" of health care and human services, including preventative care, that is accessible to all residents. The Institutional Land Use designation permits Children's Hospital to develop additional hospital facilities and emergency health care services and infrastructure which is a stated policy of the Plan. It also permits Children's Hospital to expand mental health services for children which the Plan recognizes as a significant unmet need.

The Plan also recognizes that the health care industry is an important component of the future economic prosperity for New Orleans and the region. Children's Hospital currently provides over 1850 full time high paying jobs. It is an academic medical center training over 100 medical residents and engaged in basic and clinical research. Children's Hospital needs to be able to grow to meet its threefold mission of patient care, medical education and pediatric research. The Calhoun Campus was acquired to accommodate this future growth and is ideally suited for this purpose.

Children's Hospital's Henry Clay Campus is also designated as Institutional law use. Having one campus designated institutional land use and another campus designated as something other than institutional land use will present legal and operational difficulties for Children's Hospital. It is also illogical. Hospital activities which are a permitted land use on one campus will not be permitted on the other campus but both campuses will operate as a single licensed hospital. Furthermore, such disparate land use designations will put Children's Hospital

at a competitive disadvantage. Ochsner Baptist, Touro Infirmary, and the Henry Clay Campus are all located in the uptown region and all have an institutional land use designation. These facilities will have the benefit of the flexibility such land use designation provides but the Calhoun Campus will not if its institutional land use designation is changed. The Calhoun Campus, the Henry Clay Campus, Touro Infirmary and Ochsner Baptist are all large hospital properties having residential areas surrounding them. All provide a wide array of health care services, and all operate on a 24 hour a day, 365 day a year basis. Why should one property be designated something other than Institutional Land Use? Such disparate treatment of the Calhoun Campus would raise equal protection issues. It would be arbitrary and capricious to treat such similarly situated hospitals differently.

Children's Hospital did its due diligence prior to buying the Calhoun Campus. It researched the zoning classification of the property. The property's current zoning is set forth in CZO Article 13, Section 13.10.1 entitled "Existing Hospital in RS Single Family or RD Two, Two Family Residential. Children's Hospital met with Mr. Edward Horan, the Zoning Administrator for the City of New Orleans, and discussed the hospital's proposed use of the property prior to the acquisition. Children's Hospital was informed it could expand the health care facilities and hospital uses on the Calhoun Campus provided it complied with the 9 provisos set forth in Section 13.10.1 and that conditional use permits would not be required for such expansions or uses. (Please see correspondence between Children's Hospital and Mr. Edward Horan attached as Exhibits 1 and 2.)

Changing the land use designation of the Calhoun Campus to residential could essentially freeze any further health care development on the property because there are no assurances the new CZO will preserve the rights Children's Hospital currently has under section 13.10.1 of the

CZO. Such a result would put Children's Hospital in a more disadvantageous position than it is in today. It would substantially reduce the economic value of the property and arguably constitutes a taking of property without compensation. Children's Hospital has already invested tens of millions of dollars in acquiring and improving this property. These investments will be greatly devalued and the opportunity to invest millions more into the property will be lost if the land use designation is changed and Children's is forced to seek conditional use permits for further development of this property.

Lastly, the Future Land Use Map adopted in August of 2010 has the "force of law". All future land use actions, including zoning classifications, are to be consistent with the Future Land Use Map. Our review of the Master Plan does not reveal an alternative land use designation that would permit Children's Hospital to use its Calhoun Campus as intended to meet its future expansion needs. If the Calhoun Campus should be designated a residential land use as some have proposed, it would have the practical effect of prohibiting any future changes or expansions to these health care facilities. This is because under the residential land use hospitals and sanitariums are conditional uses. The neighborhood has a history of vigorous opposition to the reopening of adult psychiatric services by LSU at the Calhoun Campus. These oppositional efforts included unsuccessful efforts to amend the state appropriations bill to prohibit LSU from spending money to lease the Seton Building. If Children's had to obtain a conditional use permit for each change or expansion of the facilities located on the Calhoun Campus, the neighborhoods would put up every conceivable obstacle to thwart the granting of such conditional use permits. This would make any future medical development on this site very speculative. This is simply an unacceptable risk to Children's Hospital.

For these reasons, Children's Hospital supports the continued designation of Institutional Land use for its Calhoun Campus and opposes any efforts to change such land use designation. Children's Hospital believes any legitimate concerns the neighborhoods may have can be adequately addressed in the proposed CZO. However, we do not believe that neighborhood desires to prevent future expansion of the health care facilities and uses are legitimate concerns. Furthermore, such desires to prevent future health care development of this property are contrary to the stated goals and policies of the adopted Master Plan and are not in the best interest of the majority of the residents of New Orleans. The population of the City of New Orleans needs more medical and psychiatric health care services and facilities and the economic stimulus such new facilities will bring. The personal desires of a handful of residents should not override the very real needs of the majority of the residents of Greater New Orleans.

DEPARTMENT OF SAFETY & PERMITS
BUILDING INSPECTION DIVISION
CITY OF NEW ORLEANS

Handwritten:
Hear
Fy
Rik

C. RAY NAGIN
MAYOR

MICHAEL CENTINEO
DIRECTOR

EXHIBIT 2

October 2, 2006

Ricardo M Guevara
Vice President Legal Affairs
Children's Hospital
200 Henry Clay Ave
New Orleans LA 70118

Re: DePaul Hospital Property

Dear Mr. Guevara:

In response to the questions posed in your letter dated September 20, 2006 I can provide the following clarification in regard to the regulations stated in **Section 13.10.3** of the Comprehensive Zoning Ordinance.

If Children's Hospital was to purchase the DePaul Property then that non-conforming facility may be "maintained, altered or extended in existing or newly constructed buildings" subject to those standards and conditions listed in **Section 13.10.3**. A conditional use would not be required under these regulations.

Sincerely,

Handwritten signature of Edward Horan

Edward Horan
Zoning Administrator



Paul Cramer

From: Yolanda W. Rodriguez
Sent: Wednesday, December 14, 2011 2:27 PM
To: Paul Cramer
Subject: FW: DePaul Site

FYI

Communications to and from this e-mail address are subject to provisions of the state of Louisiana Public Records Act.

From: Charles Curtis [mailto:ccurtis@metzgerlawfirm.com]
Sent: Tuesday, December 13, 2011 12:49 PM
To: Yolanda W. Rodriguez; Susan G. Guidry; Jackie B. Clarkson; Eric Granderson
Subject: FW: DePaul Site

I am forwarding an email I previously sent to Ms. Guidry in opposition to the reclassification of the DePaul site to a medical campus. Frankly, the fact that this is even being seriously considered disgusts me. It is tantamount to a windfall for Children's at the expense of the neighboring property owners.

I am sorry I have legal matters to attend to and cannot attend the public hearing today. I

Charles T. Curtis, Jr.
Attorney at Law
Gerard G. Metzger, APLC
829 Baronne Street
New Orleans, LA 70113
Phone: 504-581-9322
Facsimile: 504-581-2773
email: ccurtis@metzgerlawfirm.com

From: Charles Curtis [mailto:ccurtis@metzgerlawfirm.com]
Sent: Thursday, September 22, 2011 2:00 PM
To: 'sgguidry@nola.gov'
Subject: DePaul Site

Dear Ms. Guidry,

I own the home located at 931 Henry Clay Avenue, directly across from DePaul, where I reside with my wife and children. We have lived there for 15 years and are natives of uptown. You may be familiar with how nice the area is, the time and money owners have put into their homes and the numerous bicyclists, walkers and joggers who frequent the area going to and from the park.

I am very upset that the master plan has now designated the DePaul site as institutional and have no doubt that Children's Hospital already has plans to take advantage of that designation to the extreme detriment of the neighborhood.

It was not too long ago that Children's proposed expansion into Audubon Park adjacent to its main campus. It became clear at a public meeting that Children's planned to move forward with total and absolute disregard for the neighborhood. A disaster was narrowly diverted. I bring this up as an example of what can be expected from Children's if the DePaul site loses residential designation.

It is unfortunate that my neighbors and I must be constantly vigilant against destructive forces threatening our neighborhood which is one of the finest (and unflooded) in the city.

12/14/2011

Thank you for keeping DePaul a residential district. If Children's prevails, we will be forced to leave our home and will probably lose several hundred thousand dollars in diminished property value.

Charles T. Curtis, Jr.
Attorney at Law
Gerard G. Metzger, APLC
829 Baronne Street
New Orleans, LA 70113
Phone: 504-581-9322
Facsimile: 504-581-2773
email: ccurtis@metzgerlawfirm.com

Audubon Area Zoning Association

P.O. BOX 15085 - NEW ORLEANS, LA 70175

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JOAN BEAUCHAMP
CATHY USDIN BURKA
SCOTT COUVILLON
CONWAY FARRELL

JAMES P. FARWELL
ERIC HANSEN
SISSY SULLIVAN HANSEN
NATALIE LANAU
ANDREW RAMSEY
KIT STUMM
DONALD TOSO, DDS

December 14, 2011

Ms. Yolanda Rodriguez
City Planning Commission
1340 Perdido #900
New Orleans, LA 70112
ywrodriguez@nola.gov

Re: DePaul Hospital Site

Dear Ms. Rodriguez:

Audubon Area Zoning Association ("AAZA") is the neighborhood association for that area of uptown from Audubon Park to Nashville Avenue and St. Charles Avenue to Prytania Street.

The DePaul site is immediately adjacent to AAZA (falling within the boundaries of the Upper Hurstville Residents' Association ("UHRA")). And any future development of the site will have a dramatic impact on our neighborhood.

Representatives of AAZA and UHRA met with the City Planning Commission staff to voice the concern of both neighborhoods to the Master Plan's designation of the DePaul site as "institutional" as well as proposed zoning which changes the property from existing non-conforming within a two family residential area to medical campus. The neighborhoods have indicated a willingness to meet with both City Planning staff and Children's Hospital to discuss our concerns with the Master Plan designation and proposed re-zoning which increase the potential density and types of permitted commercial uses on this property. However, City Planning and Children's Hospital have both indicated that any such meetings with the neighbors should take place **after** the new Master Plan and proposed zoning have been established; the neighborhoods strongly suggest that such meetings should take place **before** the Master Plan designation and zoning have been established.

AAZA/UHRA members recently met with Council Member Guidry at her office to impress upon her the issues of utmost concern to the neighborhoods. Council Member Guidry recommended that we correspond with the City Planning Commission and provide the neighborhoods' input as to the proper designation and zoning for the DePaul site:

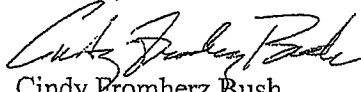
1. **Master Plan:** Given the Master Plans goal to *preserve and support the character of successful residential neighborhoods* reclassifying the low density mental health facility site from low density residential to high density institutional is not consistent with the Master Plans stated goals. Our neighborhoods position is that the Master Plan should approach the Children's Calhoun / De Paul site as an *historic nonconforming* use and work with the neighborhood and Children's Hospital to author objective zoning that ensures *compatibility with the neighborhood is maintained* so that *the continued existence of the current use with options for redevelopment and some expansion remains supported*. The current low density / low use site is very compatible with the neighborhood; however the large amount of open space combined with unknown future programmatic needs of Children's Hospital demands planning and zoning which protects the neighborhood from the gargantuan density and use combinations of a traditional medical campus. AAZA requests that the master plan designation of the site currently designated "Institutional" instead remain "Residential" as it has been under the current CZO.
2. **Proposed Zoning:** AAZA first became aware of the reclassification of the De Paul site when the proposed zoning of Medical Campus was brought to our attention. We note that it has a campus plan review which is good, however, we note that there are few objective limits on density, use, and potential building envelope. Our analysis yields a potential building area of over 2.4 million square feet and while we would not expect this to be approved in a campus plan our concern is over the long term of fifty years that revised campus plans would yield density and use creep at some point overtaking the residential neighborhood. AAZA asks that the proposed zoning at a minimum include the language of the current non conforming use of CZO chapter 13.10.3 until a more customized zoning classification with objective limitations could be written. AAZA is open to working with City Planning staff and consultants along with Children's Hospital to develop a mutually acceptable currently unwritten zoning designation which protects the neighborhoods interests as well as Children's Hospitals interest in future development – given the complexity of harmoniously increasing the scale and density of the largely open site within the neighborhood we feel community involvement in writing specific zoning a prudent approach.

AAZA is not opposed to sensible and neighborhood friendly development of the site, nor to continuing low density hospital use, but believes objective limits on density through required

open space and maximum floor area ratios, a campus plan review, and limits on commercial uses are needed to maintain the site's current low density characteristics. Moving forward, these objective limits are needed to ensure eventual higher density development is mitigated by sufficient offsets of premium campus design qualities, city infrastructure improvements, and neighborhood amenities so as to maintain the low density qualities of the campus and interface appropriately with the neighborhood.

AAZA, in conjunction with our neighboring association, UHRA, appreciates the opportunity to work with both the City Planning Commission and Children's Hospital to develop mutually acceptable planning and zoning for the DePaul site. However, we strongly request that such meetings take place **before** the Master Plan designation is confirmed and before the zoning is decided. Please be aware that although DePaul Hospital functioned as a mental health institution for over 100 years, that it has been a very "low key"/low density use that has had minimal impact on the neighborhood. It is our desire that this "good neighbor policy" continue under the new Master Plan and zoning ordinance.

Sincerely,



Cindy Fromherz Bush
AAZA President

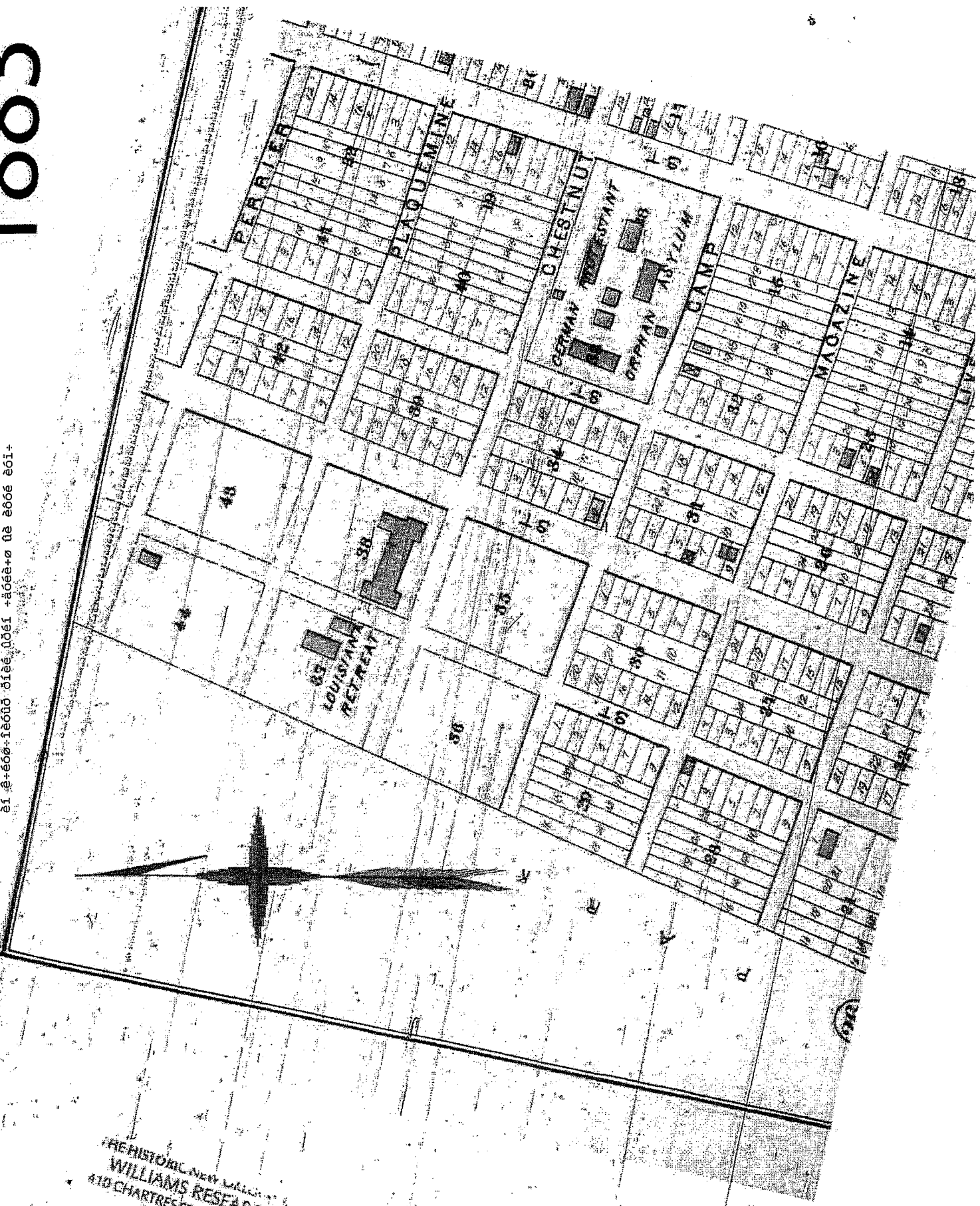
Cc: Ms. Susan Guidry, District "A" Representative, New Orleans City Council
Ms. Stacey Head, District "B" Representative, New Orleans City Council
Ms. Jacquelyn B. Clarkson, President, New Orleans City Council

1883 colored lithograph
 E. Robinson & R. Pidgeon

THE HISTORIC NEW ORLEANS
 WILLIAMS RESEARCH
 410 CHARTRES ST., NEW ORLEANS, LA
 — MICROFILM COPY FROM

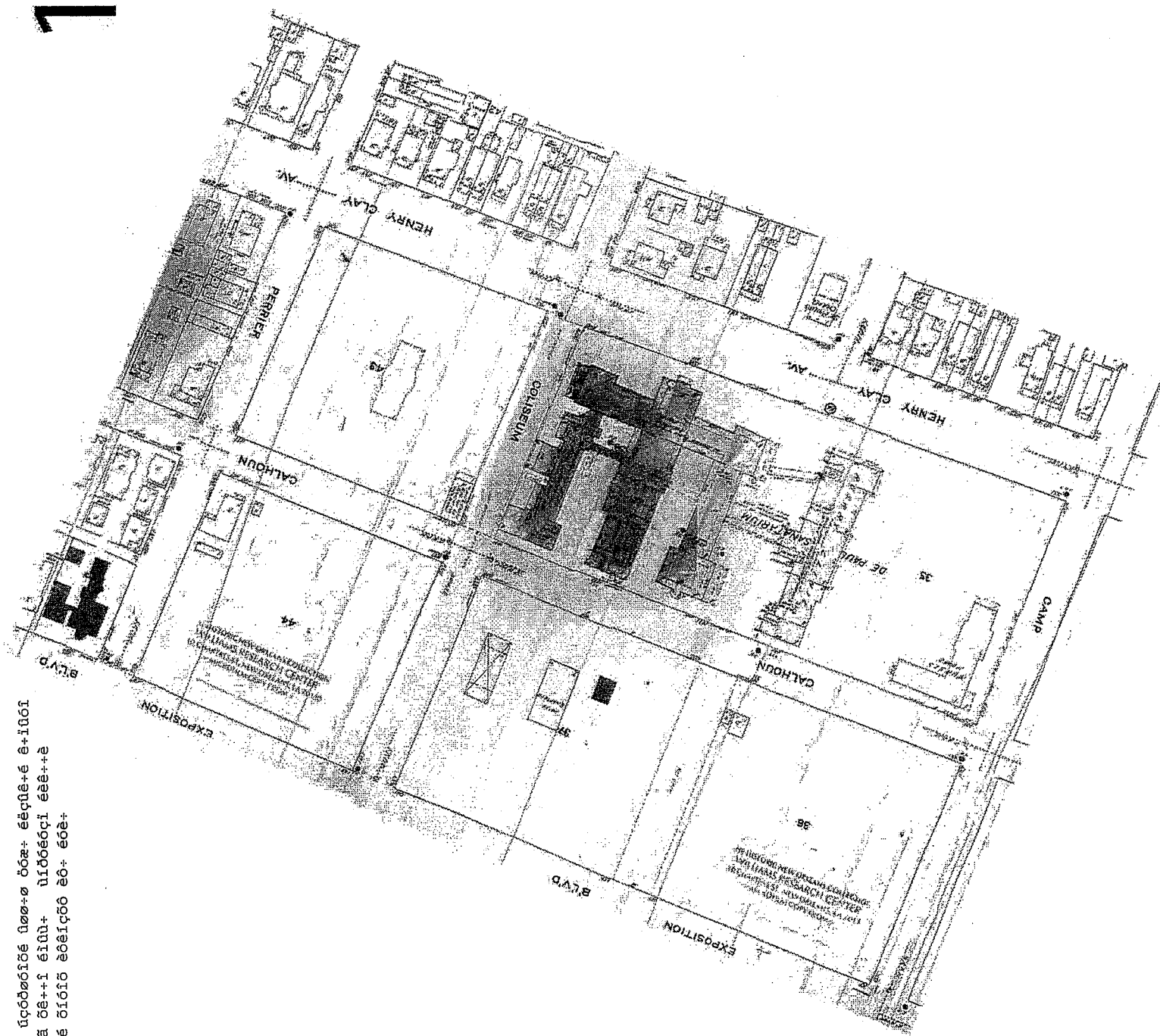
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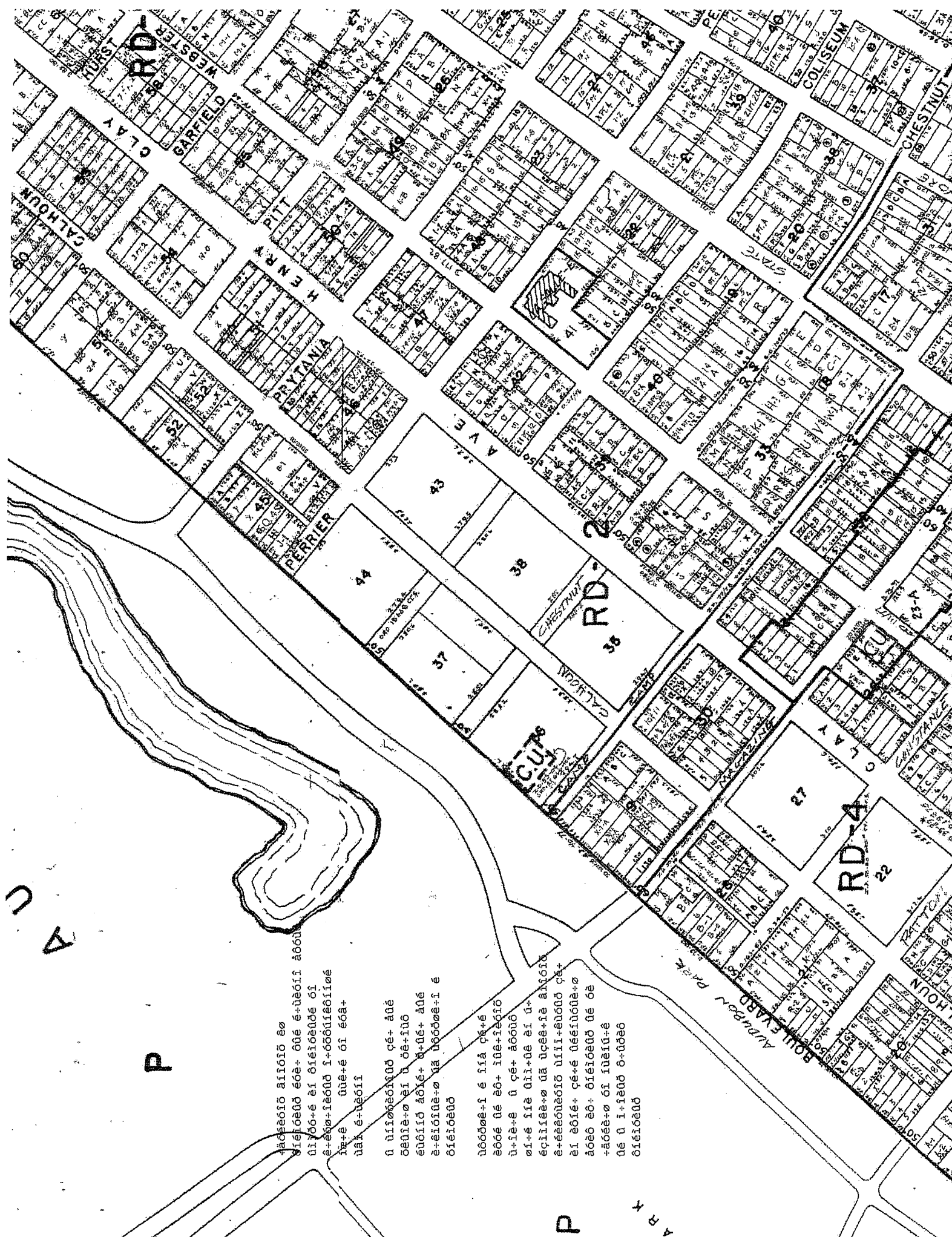
1883



1908-1909







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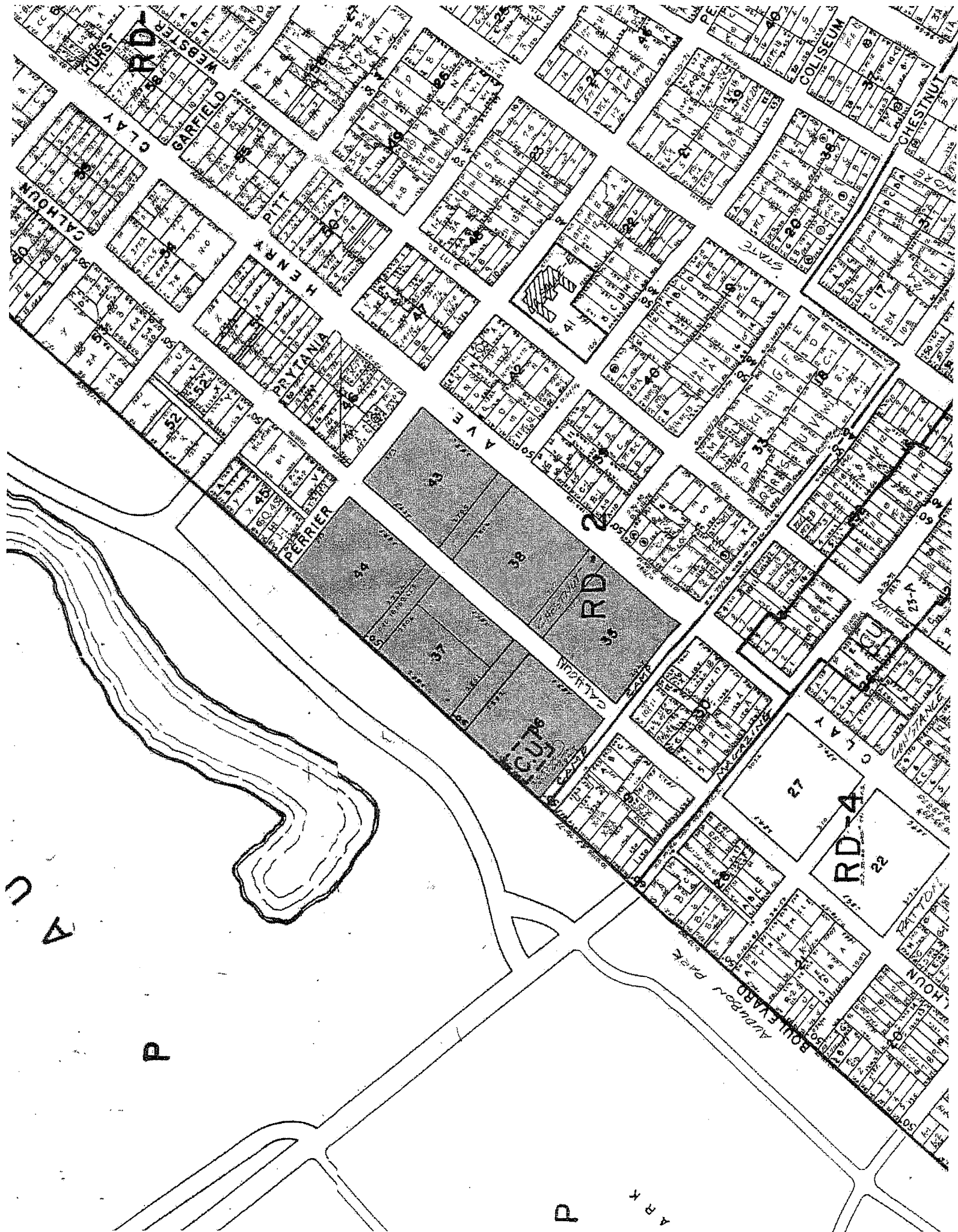
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OTHER LOCATIONS WHERE THE MASTER PLAN APPLIES THE INSTITUTIONAL DESIGNATION TO HOSPITALS





INSTITUTIONAL DESIGNATION: TOURO HOSPITAL



FULLY BUILT OUT SQUARE, MUCH DEVELOPMENT AROUND IT, COMMERCIAL
CREEP INTO RESIDENTIAL NEIGHBORHOOD ADJACENT.
CURRENTLY MANY VACANT LOTS, AND MANY VACANT OFFICES SURROUND
SOME REALTORS SITE 30% PROPERTY VALUE DROP ON RESIDENCES
NEAR TOURO.

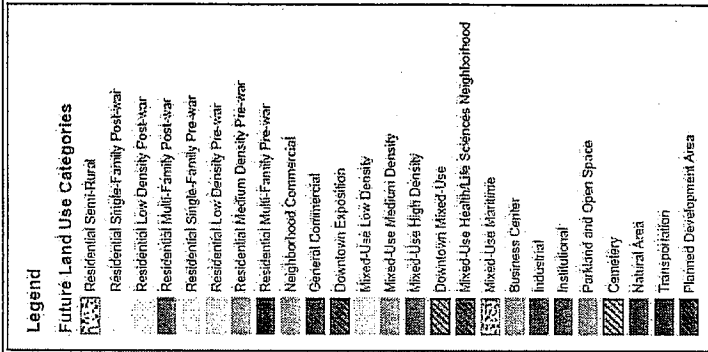


Vacant

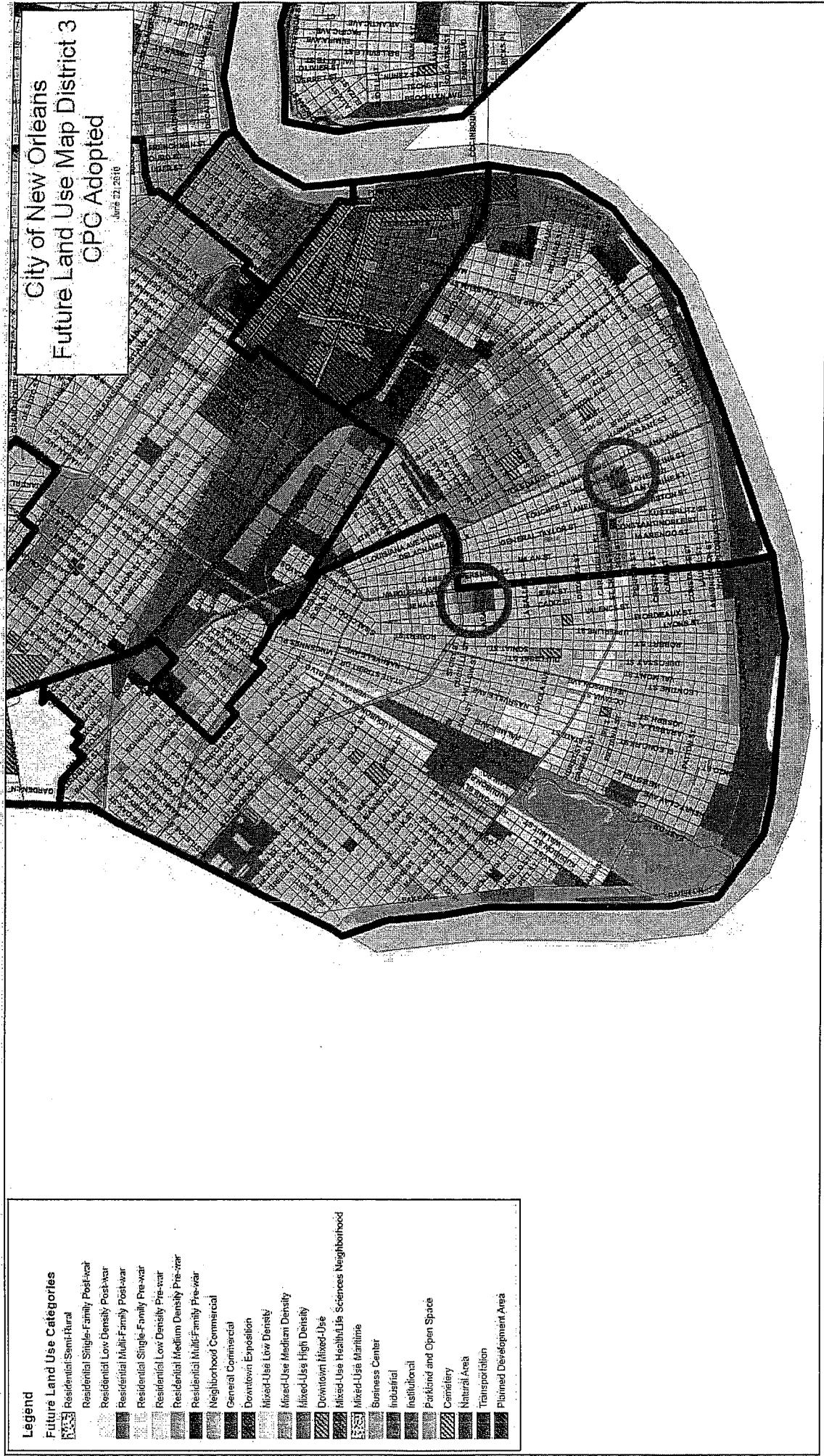
Touro Infirmary

TOURO INFIRMARY / CURRENT
MEDICAL CAMPUS

June 12, 2016



Legend



INSTITUTIONAL DESIGNATION: OCHSNER BAPTIST HOSPITAL



3 SQUARES FULLY BUILT OUT, MANY VACANT LOTS SURROUND SITE
CLEARLY THE NEIGHBORHOOD HAS BEEN IMPACTED

Medical Offices

Southern Baptist
Hospital

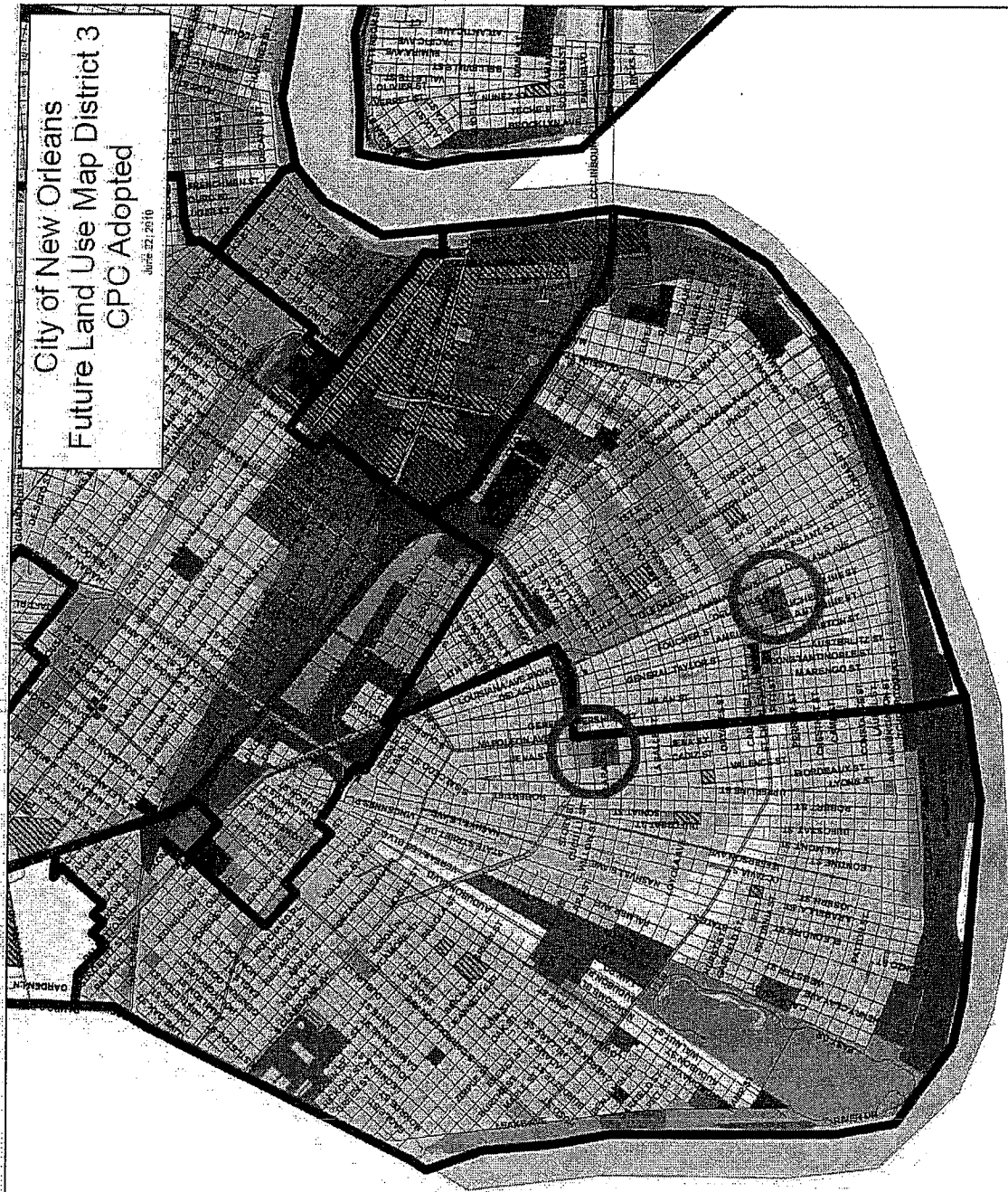
Parking

Parking

SOUTHERN BAPTIST HOSPITAL / CURRENT
MEDICAL CAMPUS



City of New Orleans
 Future Land Use Map District 3
 CPC Adopted
 June 27, 2010




























Legend

Future Land Use Categories

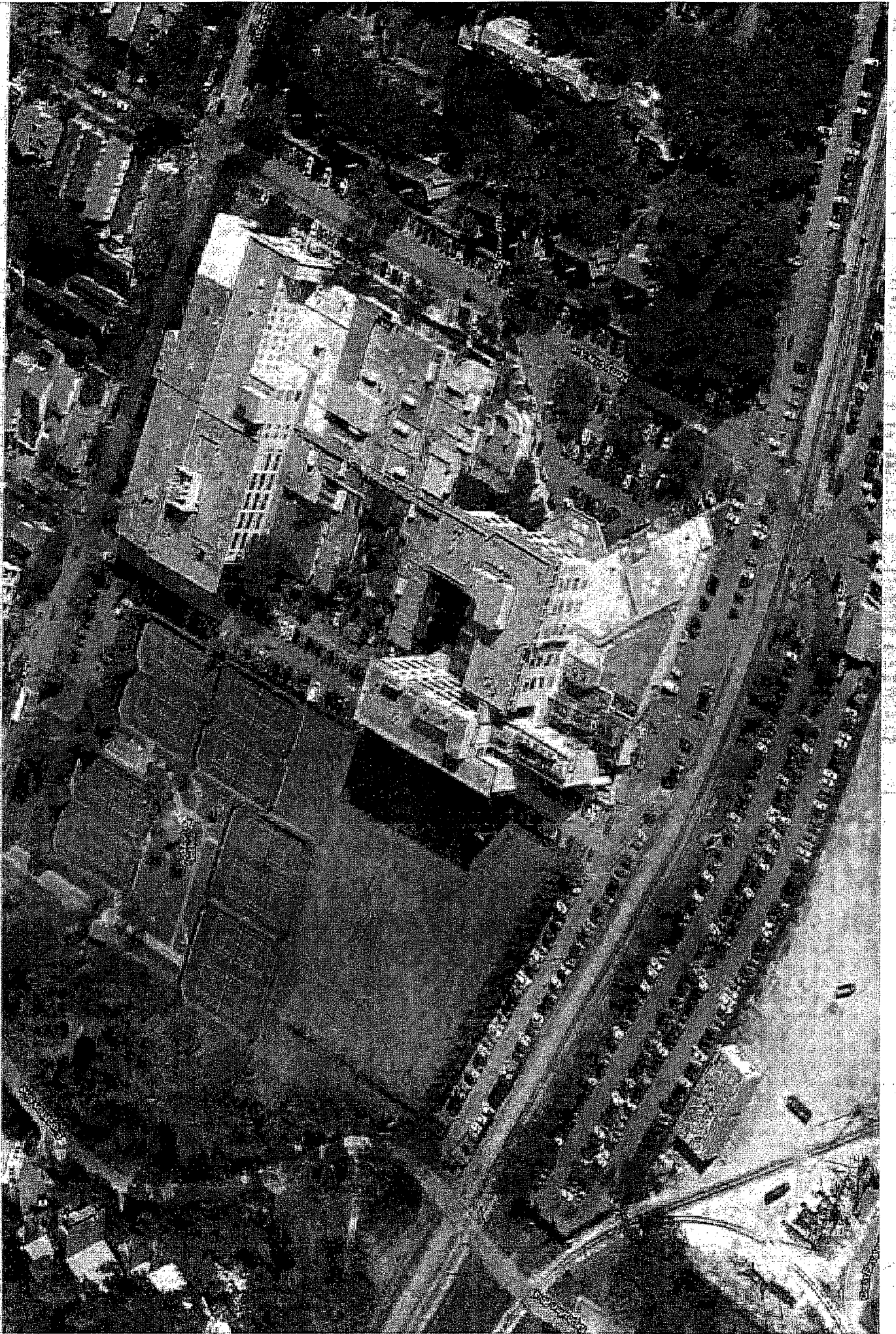
- Residential Semi-Rural
- Residential Single-Family Post-war
- Residential Low Density Post-war
- Residential Multi-Family Post-war
- Residential Single-Family Pre-war
- Residential Low Density Pre-war
- Residential Medium Density Pre-war
- Residential Multi-Family Pre-war
- Neighborhood Commercial
- General Commercial
- Downtown Exposition
- Mixed-Use Low Density
- Mixed-Use Medium Density
- Mixed-Use High Density
- Downtown Mixed-Use
- Mixed-Use Health/Life Sciences Neighborhood
- Mixed-Use Maritime
- Business Center
- Industrial
- Institutional
- Parkland and Open Space
- Cemetery
- Natural Area
- Transportation
- Planned Development Area

Future Land Use Categories

Future Land Use Categories

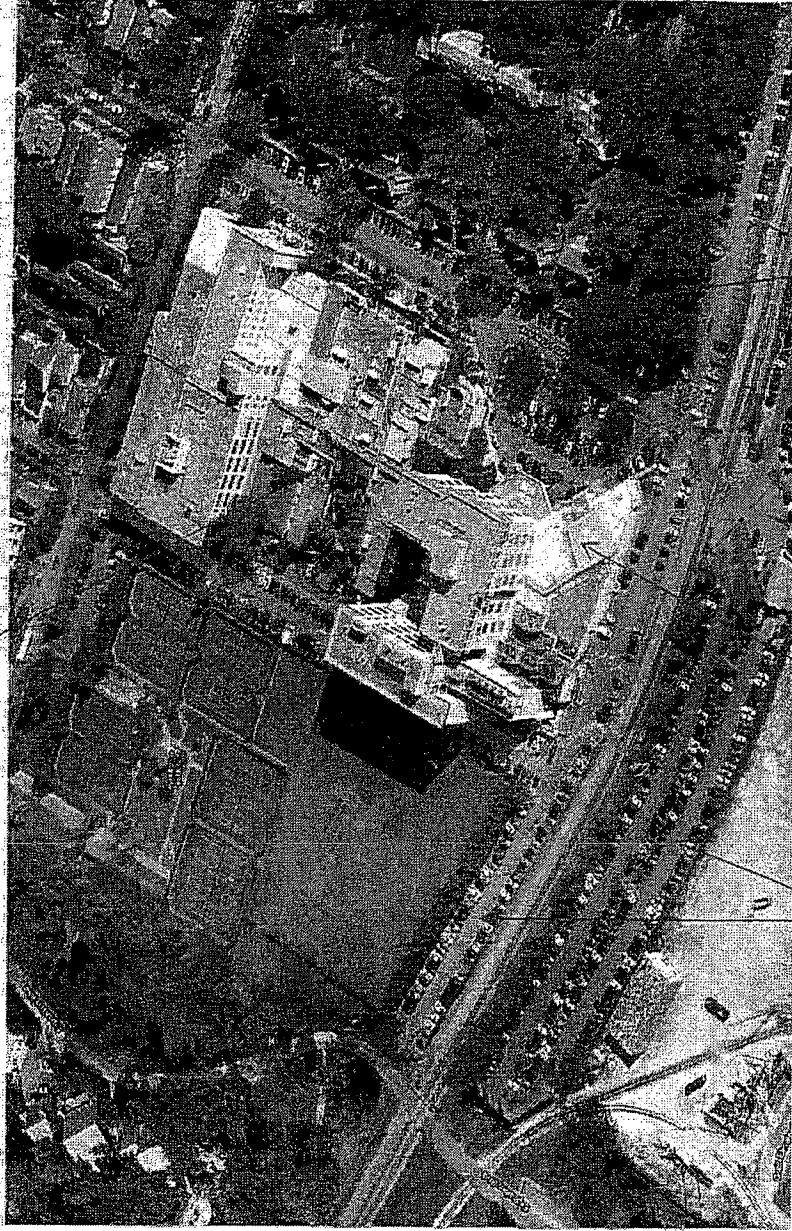
- | | |
|---|---|
|  | Residential Semi-Rural |
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|  | Residential Low Density Post-war |
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|  | Business Center |
|  | Industrial |
|  | Institutional |
|  | Parkland and Open Space |
|  | Cemetery |
|  | Natural Area |
|  | Transit/Station |
|  | Planned Development Area |

INSTITUTIONAL DESIGNATION: CHILDREN'S HOSPITAL



FULLY BUILT OUT ON MUCH OF THE SITE, SURFACE PARKING CAUSES
SIGNIFICANT RUNOFF AND DRAINAGE PROBLEMS, INFRASTRUCTURE
IMPROVEMENTS FROM CITY HAVE NOT KEPT PACE WITH DEVELOPMENT OF
SITE. SURFACE PARKING DOMINATES, EVEN IN THE PUBLIC RIGHT OF
WAY WHERE PARKING IS MARKED AS "RESERVED" ON THE PUBLIC RIGHT
OF WAY.

Children's Hospital
+/- 7 acres



Parking +/- 10 acres

Helipad

Parking

CHILDREN'S HOSPITAL / CURRENT
MEDICAL CAMPUS / MEDICAL SUPPORT (MGMS)

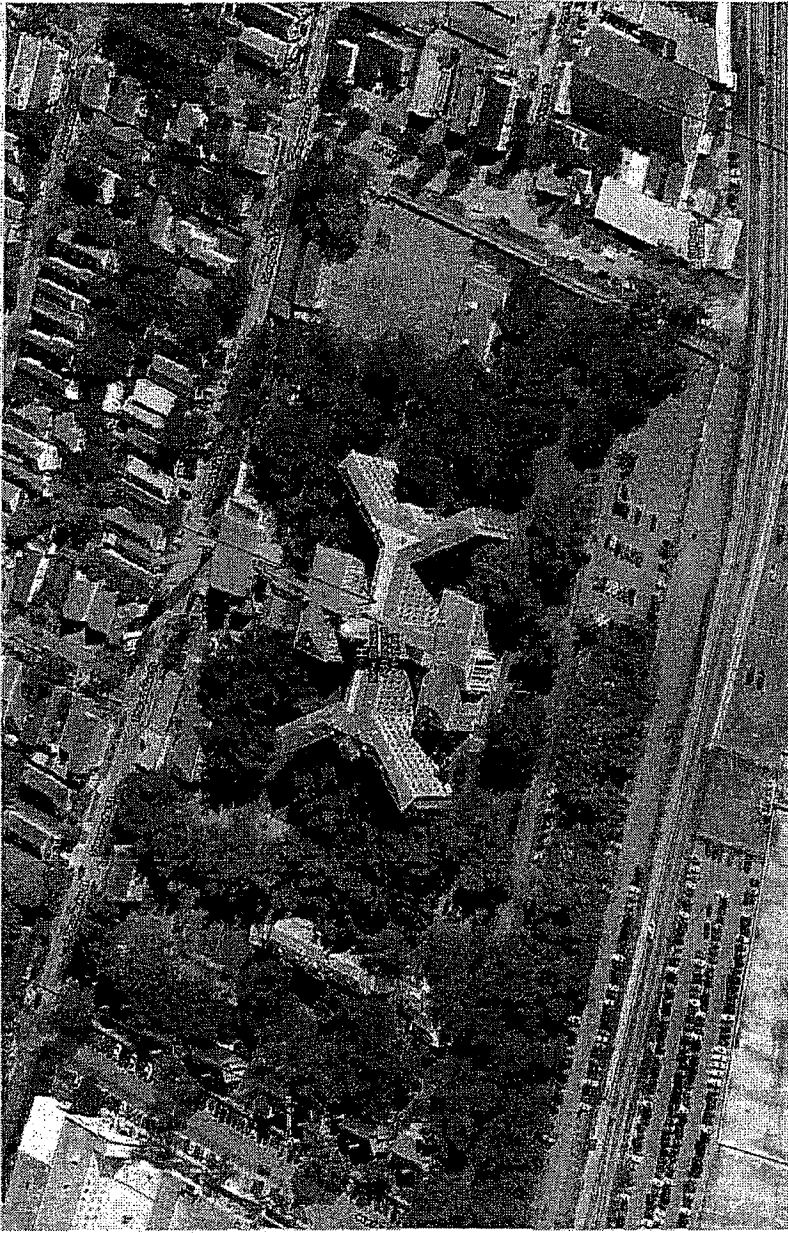
??? INSTITUTIONAL DESIGNATION: NEW ORLEANS ADOLESCENT HOSPITAL



THIS ALSO SEEMS A FAIRLY LOW DENSITY CAMPUS WHEN BUILDING AREA IS COMPARED TO SITE AREA. PERHAPS IT ALSO SHOULD BE REVIEWED

Accessory Buildings

NOAA

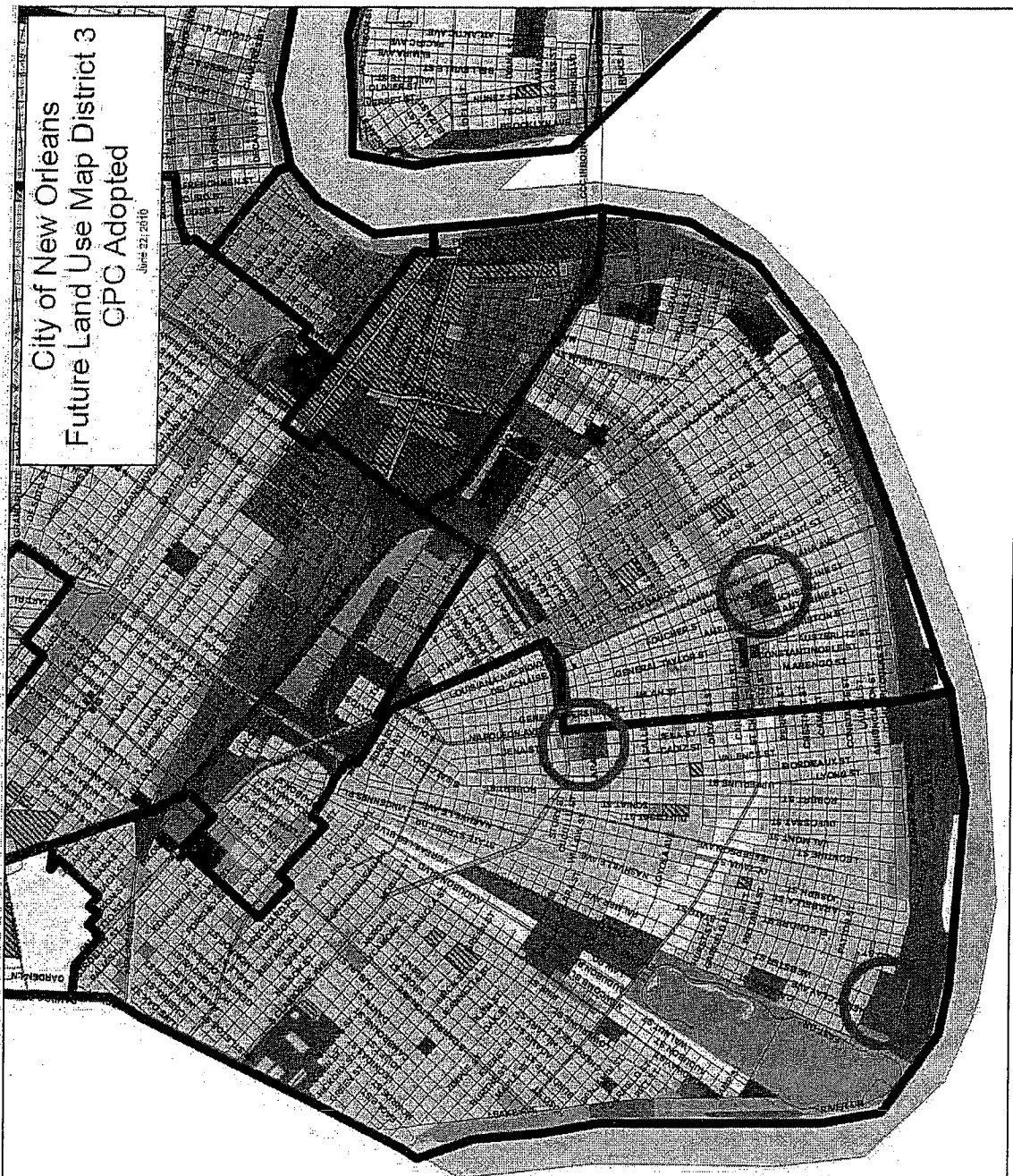


Lighthouse For The Blind

NEW ORLEANS ADOLESCENT HOSPITAL / LSU HEALTH SCIENCES / CURRENT MEDICAL CAMPUS

City of New Orleans
Future Land Use Map District 3
CPC Adopted

June 22, 2010

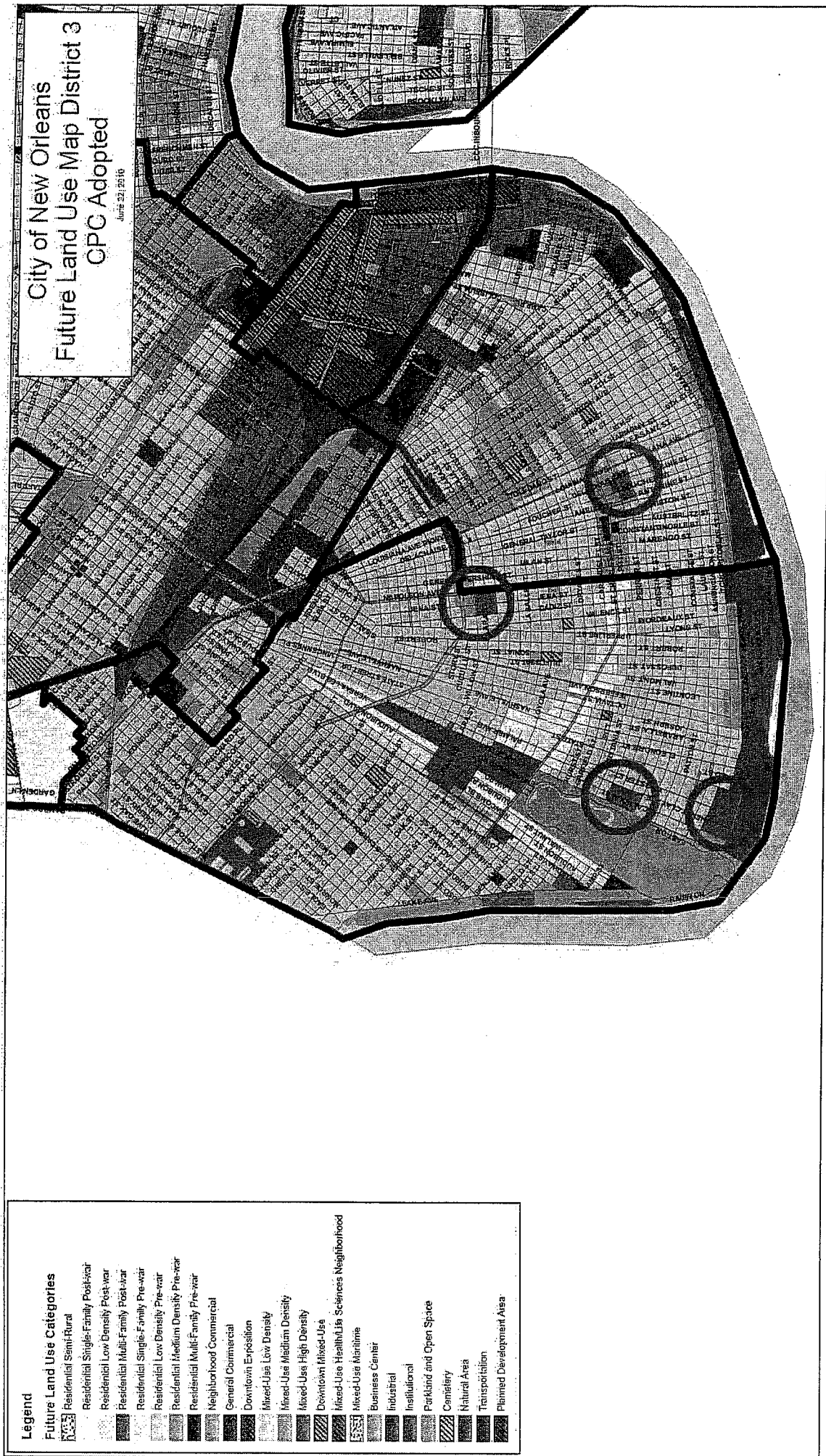


Legend

Future Land Use Categories

- Residential Semi-Rural
- Residential Single-Family Post-war
- Residential Low Density Post-war
- Residential Multi-Family Post-war
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- Cemetery
- Natural Area
- Transportation
- Planned Development Area

FINALLY THE DE PAUL CAMPUS - WHICH IS NOTHING LIKE ANY
OF THE OTHER APPLICATIONS OF INSTITUTIONAL



IMPROPER INSTITUTIONAL DESIGNATION: FORMER DE PAUL

